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**May 7, 2002**

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**MINUTES OF A REGULAR MEETING  
CITY COMMISSION  
FORT LAUDERDALE, FLORIDA  
May 7, 2002**

Meeting was called to order at 6:23 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Gloria Katz  
Commissioner Tim Smith  
Commissioner Carlton B. Moore (6:26 p.m.)  
Commissioner Cindi Hutchinson  
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Dietrich

Invocation was offered by *Reverend Dr. Keith L. Riddle, First Presbyterian Church*.

Pledge of Allegiance to the Flag.

**Motion** made by Commissioner Katz and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting      April 23, 2002

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

**Presentations** ..... (OB)

1.     Expressions of Sympathy

Mayor Naugle presented Expressions of Sympathy, on behalf of the City Commission, to the families of *Donald "Todd" DiPetrillo* and *Ernestine Turner*.

At 6:26 p.m., Commissioner Moore arrived at the meeting.

2. Smoke Detector Test

Commissioner Smith demonstrated the proper method of testing the batteries in a smoke detector and encouraged everyone to do the same at home.

3. Ms. Debbie Raskin, "New Beginnings Greyhound Adoption"

Commissioner Katz presented a Commendation to Ms. Debbie Raskin in recognition of her efforts to find homes for retired racing greyhounds. Ms. Raskin brought along a few greyhounds and announced that there were many wonderful dogs available for adoption. Upon questioning by Mayor Naugle, Ms. Raskin advised that the dogs retired between the ages of 2 and 4 years old, and they had a 12- to 15-year lifespan. She also reported that greyhounds were very affectionate and retired racers were appreciative of good homes, having spent their early years living in cages. Ms. Raskin added that she could be reached at 954-370-6556 if anyone was interested in adopting a dog, and an event was planned for May 15, 2002 at Oakland Park Boulevard and Federal Highway, and well-behaved pets were invited to attend.

4. Commendation – Mr. Doug Smith

Mayor Naugle presented a Commendation to Mr. Doug Smith for heroic deeds in assisting a crime victim, Ms. Betty McGauley. Mr. Smith had witnessed the burglary of a vehicle and contacted police immediately, effecting the rapid recovery of the purse that had been stolen. Mayor Naugle thanked Mr. Smith for coming to the rescue of this victim and "taking a bite out of crime."

5. Contribution - Daily Bread Food Bank

Commissioner Hutchinson presented a check in the amount of \$1,281 to the Daily Bread Food Bank as a result of donations collected during the 2002 City Employee Picnic. *Mr. Manuel Allende*, Executive Director, accepted the check on behalf of the Food Bank. He also announced that the national letter carriers' food drive was scheduled for May 11, 2002, and introduced *Mr. Michael Adeiu*, a long-standing member of the Food Bank Board of Directors. He stated that the Food Bank functioned as a warehouse facility where donations were accepted for distribution to hungry people anywhere. Mr. Adeiu thanked the City employees who had touched so many lives with this donation.

6. Outstanding City Employees

The following individuals were recognized as Outstanding City Employees:

- *Richard Stapleton* and *Glenn Epstein* of the Administrative Services Department;
- *Detectives Cheryl Donisi* and *Jack Gee*, and *Susan Corey* of the Police Department; and
- *Lieutenant Gary Miller* of the Fire-Rescue Department.

**Consent Agenda ..... (CA)**

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

**Event Agreement – Haitian Flag Day Fair..... (M-1)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Minority Development and Empowerment, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **Haitian Flag Day Fair** to be held **Saturday, May 18, 2002 from 2:00 p.m. to 8:00 p.m.** at Mills Pond Park.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-651 from City Manager.

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**Event Agreement – Haitian Independence Movement ..... (M-2)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Antonius Julmisse/Haiti Market** to indemnify, protect, and hold harmless the City from any liability in connection with the **Haitian Independence Movement** to be held **Sunday, May 19, 2002 from 12:00 noon to 9:00 p.m.** at the Haiti Market, 300 West Sunrise Boulevard; and further authorizing the closing of N.W. 3 Avenue from Sunrise Boulevard to the south property line of the Haiti Market from 9:00 a.m. to 10:00 p.m. on the event day.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-655 from City Manager.

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**Agreement – Dania Farms, Inc. – Use of South Nursery Property ..... (M-3)**

A motion authorizing the proper City officials to execute a one-year agreement with Dania Farms, Inc. for use of a portion of the City's tree nursery for horticultural purposes.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-623 from City Manager.

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**Rescind Contract Award – Siga, Inc. – Projects 10204, 10208 and 10201 –  
Laudergate Isles, Riviera Isles and The Landings NCIP Improvement Projects ..... (M-4)**

A motion authorizing the proper City officials to rescind the contract award to Siga, Inc. in the amount of \$46,058 for the three NCIP improvements projects as follows: Laudergate Isles, Riviera Isles, and The Landings.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-43 from City Manager.

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**Amendment to Office Lease –****Azorra Properties, Inc. – Marine Facilities Office at 408 South Andrews Avenue ..... (M-5)**

A motion authorizing the proper City officials to execute a one-year lease agreement with Azorra Properties, Inc. for the Marine Facilities office located 408 South Andrews Avenue, effective May 1, 2002 through April 30, 2003.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-557 from City Manager.

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**Enterprise Zone (EZ) Loan –****Concepts3 Communications, Inc. – 530 and 540 North Andrews Avenue ..... (M-6)**

A motion authorizing the proper City officials to execute an EZ Loan in the amount of \$114,000 to Concepts3 Communications, Inc. at 530 and 540 North Andrews Avenue, with said loan to be secured by a second mortgage and a Right of First Refusal Agreement on 530 and 540 North Andrews Avenue.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-559 from City Manager.

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**Termination of Easement – Public Parking along East Commercial Boulevard ..... (M-7)**

A motion authorizing the proper City officials to execute a Termination of Easement for public parking along East Commercial Boulevard.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-597 from City Manager.

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**Authorization to Add Two Positions –****Financial Administrator and Project Engineer for Parking Division ..... (M-8)**

A motion approving the addition of two positions classified as Financial Administrator and Project Engineer in the Parking Division, Administrative Services Department.

**Funds:** See Memo

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-522 from City Manager.

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**Interlocal Agreement – Downtown Development****Authority (DDA) – Regional Activity Center (RAC) Sub-Area Mobility Study ..... (M-9)**

A motion authorizing the proper City officials to execute an interlocal agreement with the DDA to perform a subarea transit mobility study of the RAC and related perimeter destinations, and provide funding for the study in the amount of \$50,000.

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-649 from City Manager.

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**Sanitary Sewer Agreement – Winston Knauss -  
New River Woods Development – S.W. 15 Avenue near S.W. 11 Court ..... (M-10)**

A motion authorizing the proper City officials to execute a sanitary sewer agreement with Winston Knauss for sewer service to New River Woods Development on S.W. 15 Avenue near S.W. 11 Court.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-352 from City Manager.

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**Sanitary Sewer Agreement –  
C. Craig Edewaard - Las Olas Village Development -  
Southwest Corner of S.W. 8 Avenue and West Las Olas Boulevard ..... (M-11)**

A motion authorizing the proper City officials to execute a sanitary sewer agreement with C. Craig Edewaard, developer of the Las Olas Village Development, to provide sanitary sewer service by installation of a new pumping station and force main for the new townhouse development on the southwest corner of S.W. 8 Avenue and West Las Olas Boulevard.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-629 from City Manager.

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**Sanitary Sewer Agreement – River Manors Development Corporation –  
Dockside Village Townhomes – 1830 through 1860 North Dixie Highway ..... (M-12)**

A motion authorizing the proper City officials to execute a sanitary sewer agreement with River Manors Development Corporation, developer of the Dockside Village Townhomes, to provide sanitary sewer service by installation of a new pumping station and force main for the new townhouse development at 1830 through 1860 North Dixie Highway.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-654 from City Manager.

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**Sanitary Sewer Agreement – Milcour Development LLC –  
Villa de Art Townhomes –  
Southwest Corner of S.W. 9 Avenue and S.W. 2 Court ..... (M-13)**

A motion authorizing the proper City officials to execute a sanitary sewer agreement with Milcour Development LLC, developer of the Villa de Art Townhomes, to provide sanitary sewer service by installation of a new pumping station and force main for the new townhouse development on the southwest corner of S.W. 9 Avenue and S.W. 2 Court.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-630 from City Manager.

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**Use of General Civil Engineering Services Contract with Keith and Schnars, P.A. for Community Redevelopment Area (CRA) Projects ..... (M-14)**

A motion approving the Community Redevelopment Agency's use of the City's existing general civil engineering services contract with Keith and Schnars, P.A. on an as-needed basis for professional services on various CRA projects.

**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-640 from City Manager.

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**Contract Award – John Luther Construction, Inc. - Project 10200 – Las Olas Isles NCIP Project ..... (M-15)**

A motion authorizing the proper City officials to execute an agreement with John Luther Construction, Inc. in the amount of \$60,964 for the Las Olas Isles NCIP project.

**Funds:** See Bid Tab  
**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-530 from City Manager.

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**Change Order No. 1 – Florida Blacktop, Inc. – Projects 10212 and 10326 – Riverland Neighborhood Crosswalk Project ..... (M-16)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Florida Blacktop, Inc. in the amount of \$14,932.95 for the installation of sidewalks, handicap ramps and concrete curbing for the Riverland Neighborhood crosswalk project.

**Funds:** See Change Order  
**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-626 from City Manager.

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**Change Order No. 1 – Recreational Design and Construction, Inc. (RDC) – Project 9793 - Harbour Isles of Fort Lauderdale, Inc. (HIFLI) Inlet Beach Improvements “IBIS” Special Assessment Project ..... (M-17)**

A motion authorizing the proper City officials to execute Change Order No. 1 with RDC in the amount of \$20,971 for the installation of decorative street sign posts for the Inlet Beach improvements “IBIS” special assessment project.

**Funds:** See Change Order  
**Recommend:** Motion to approve.  
**Exhibit:** Memo No. 02-503 from City Manager.

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**Change Order No. 2 – Florida Blacktop, Inc. – Project 10333-C -  
Installation of Speed Humps in the Riverside Park Neighborhood ..... (M-18)**

A motion authorizing the proper City officials to execute Change Order No. 2 with Florida Blacktop, Inc. in the amount of \$25,949.50 for the installation of five flat-topped speed humps in the Riverside Park Neighborhood.

**Funds:** See Change Order

**Recommend:** Motion to approve.

**Exhibit:** Memo No. 02-641 from City Manager.

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<b>PURCHASING AGENDA</b>
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**722-8684 – Purchase of One Forklift ..... (Pur-1)**

An agreement to purchase one forklift is being presented for approval the Administrative Services, Fleet Division.

Recommended Award: National Lift Truck Service  
Fort Lauderdale, FL  
Amount: \$ 17,850.00  
Bids Solicited/Rec'd: 19/4 with 1 no bid  
Exhibits: Memorandum No. 02-610 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidder with transfer of \$17,850 from Sanitation Retained Earnings to Fleet Replacement (ADM030501-6416).

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**422-8662 – Purchase of Pharmaceutical Supplies ..... (Pur-2)**

A one year contract for the purchase of pharmaceutical supplies is being presented for approval by the Administrative Services, Central Stores Division.

Recommended Award: Emergency Medical Products  
Waukesha, WI  
Sunbelt Medical  
Hilton Head, SC  
Rxems (WBE)  
Deerfield Beach, FL  
Amount: \$ 50,118.44 (estimated)  
Bids Solicited/Rec'd: 30/10 with 1 no bid  
Exhibits: Memorandum No. 02-578 from City Manager

The Procurement and Materials Management Division recommends award to the low responsive and responsible bidders.

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**3486 – Self-Contained  
Breathing Apparatus (SCBA) and Various Equipment for Fire-Rescue ..... (Pur-3)**

An agreement to purchase SCBA's and other assorted equipment is being presented for approval by the Fire-Rescue Department. (Also see Item R-8 on this Agenda)

Recommended Award: Safety Equipment Co.  
Tampa, FL  
Amount: \$ 655,179.96  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 02-409 from City Manager

The Procurement and Materials Management Division recommends award from the City of Hollywood Contract.

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**722-8665 – School Bus Transportation ..... (Pur-4)**

A one year contract for school bus transportation services is being presented for approval by the Parks and Recreation Department.

Recommended Award: A1A Transportation, Inc. (MBE)  
Miami, FL  
Amount: \$ 23,000.00 (estimated)  
Bids Solicited/Rec'd: 30/1  
Exhibits: Memorandum No. 02-612 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award to the single bidder.

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**Proprietary – Senior Management Institute Training ..... (Pur-5)**

An agreement to purchase senior management institute training is being presented for approval by the Police Department.

Recommended Award: Police Executive Research Forum  
Washington, DC  
Amount: \$ 11,790.00  
Bids Solicited/Rec'd: N/A  
Exhibits: Memorandum No. 02-577 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase.

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**222-8670 – Food Service for City Jail and Police Cafeteria ..... (Pur-6)**

A three-year contract to provide food services for the City jail and Police cafeteria is being presented for approval by the Police Department.

Recommended Award:               Aramark Correctional Services  
   Oak Brook Terrace, IL  
Amount:                               \$ 281,561.28 (estimated annual)  
Bids Solicited/Rec'd:             78/4  
Exhibits:                             Memorandum No. 02-631 from City Manager

The Procurement and Materials Management Division recommends award to the first ranked proposer.

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**222-8607 – Purchase of Nine Police Boats, Motors and Accessories ..... (Pur-7)**

An agreement to purchase 9 boats, motors and accessories is being presented for approval by the Police Department. (Also see Item R-7 on this Agenda)

Recommended Award:             Intrepid Powerboats, Inc.  
   Fort Lauderdale, FL  
   Bombardier Motor  
   Waukegan, IL  
   Yamaha Motor Corporation  
   Fort Lauderdale  
   Various Vendors  
Amount:                               \$ 583,932.60 (estimated)  
Bids Solicited/Rec'd:             17/1 with 2 no bids  
Exhibits:                             Memorandum No. 02-491 from City Manager

The Procurement and Materials Management Division recommends award to the single bidder and State of Florida Contract vendor with the transfer of \$80,825 from POL030306 to LN001.3P&I.

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Prior to moving forward with the Consent Agenda, Commissioner Moore wished to announce that he did not intent to support **Item O-1** and would ask the Commission to take no action on the matter at this time, for the benefit of those present in that regard.

Mayor Naugle announced that **Item No. M-11** had been deleted from the agenda and would not be considered today.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item Nos. M-5, M-6, M-7, M-8, M-9, M-14, M-18, Pur. 3, Pur. 4, Pur. 5, Pur. 6 and Pur. 7 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Amendment to Office Lease – Azorra Properties, Inc. –  
Marine Facilities Office at 408 South Andrews Avenue ..... (M-5)**

Commissioner Katz wondered if there was any chance that leasing this space would no longer be necessary. Mr. Jamie Hart, Supervisor of Marine Facilities, wished there were, but he did not foresee a change in the near future. He noted that this office had been in this location for a long time, and he did not think it would be wise to abruptly abandon it without a long term plan for space. Mr. Hart said that something more modern would be nice, but the dockage was located nearby, and he believed it was the only space of this size for this price.

Commissioner Katz wanted to see some sort of long term goal so the City would not have to continue renting this space. Mayor Naugle thought it was sometimes less expensive to rent than to build or buy other space. Commissioner Katz desired a cost analysis as to which would be the better route to take.

Commissioner Smith reported that he had discussed the idea of space at the Birch Las Olas Lot with Mr. Hart since a new facility was being constructed. Mr. Hart agreed it was a possibility if the costs were reasonable.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-5 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Enterprise Zone (EZ) Loan – Concepts3 Communications, Inc. –  
530 and 540 North Andrews Avenue ..... (M-6)**

Commissioner Katz understood the applicant's mother had sent a letter indicating she would be paying \$100,000 toward the property, but there had been an earlier indication that there were certain things pending before she would have the money. Ms. Eve Bazer, Economic Development, advised that there was a closing scheduled for Friday, and the applicant's mother would be investing \$100,000 in the project, with the first \$72,000 going toward the purchase of an adjoining lot. Commissioner Katz wondered if staff had a way of knowing when the full investment had been made, and Ms. Bazer indicated there was a mechanism in place.

Commissioner Katz asked if the applicant would be able to pay the rent with the property taxes, debt service, insurance, etc. Ms. Bazer believed so as there was a debt service ratio of 2.33, and banks generally required 1.5 to 1.8. Commissioner Katz inquired about tenants. *Mr. John Lacz*, the applicant, did not have tenants at this point, but he did not expect any problem getting tenants or paying the cost.

Commissioner Smith said he had asked the applicant to address some maintenance problems, and Mr. Lacz advised that he had done so.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-6 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Termination of Easement – Public Parking along East Commercial Boulevard ..... (M-7)**

Commissioner Smith said he had pulled this item from the Consent Agenda at the request of two of the neighborhoods he served so they could express their concerns about this applicant. He stated that the neighborhoods did not feel the City should terminate this easement until some of the issues had been addressed.

*Ms. Nina Randall*, President of the Middle River Terrace Association, stated that the Association did not have an interest in the easement, but it did have an interest in the business dealings of Christ Church. She contended that Christ Church was not operating in good faith. Ms. Randall noted that the Church owed the City approximately \$50,000 in accrued fines, and a lien had been filed on the property at 1822 North Dixie Highway in Middle River Terrace. She stated that the facility had been ruled as an illegal social service residential facility at a special master hearing held nearly a year ago, and it was still being operated illegally while fines accrued.

Ms. Randall said that this was not a display of the “not in my back yard” (NIMBY) syndrome. She stated that Middle River Terrace had at least 10 legal social service residential facilities, and she named several. She felt the neighborhood was doing its part, but Christ Church was acting irresponsibly by continuing this illegal operation in circumvention of the laws of Fort Lauderdale. Ms. Randall stated that the Church had indicated it would take the case all the way to the Supreme Court because the City could not afford the defense.

Mayor Naugle suggested the matter be tabled. Commissioner Smith wanted to table it and recognized *Mr. Rixon Rafter*, President of the Lake Ridge Civic Association, explained that Christ Church was offering a homeless shelter just 4 doors from his home. In addition, a day care center, a thrift store, and a social service agency were operating. He stated that the programs taught the homeless how to handle money, relate better to family members, and helped them accrue enough money to graduate from the program and rebuild their lives. However, the Church ignored City, County and State laws as they related to social service agencies in neighborhoods.

Mr. Rafter said it was an extremely frustrating situation because the facility was called the Lakeside Apartments, but the only people who lived there were the Shepherd’s Way families subsidized by a grant for the rent. He did not think the Church paid taxes on the property, and the service was being operated from a single-family neighborhood. Mr. Rafter hoped the easement would be denied.

Commissioner Katz noted that the applicant was asking for termination of a parking easement along a vacant piece of land owned by the Church and a retirement fund. She explained the owners wanted to take the easement back because it was their property, and they were allowed to do so. She agreed there were problems with the Church operation, but that was a different subject, and she saw no reason to table the item before the Commission. Mayor Naugle thought that if the item were tabled, it would give the District Commissioner a chance to meet with the Church to express the concerns.

Commissioner Smith explained that neighborhood residents had asked him to do something about the problems, but he had been unsuccessful. He acknowledged that the Church owned a large empty lot, and that might be a better place for its ministry, so he did not think it made sense to approve the easement with the other concerns hanging in the balance.

Commissioner Moore asked what would happen if the easement were not terminated. Mr. Doug Gottshall, Parking and Central Services Manager, replied that the property had been vacated by the City as a metered parking lot for about two years, and this would terminate the easement, which the Church had the right to do. He advised that local neighborhood businesses were using the area for parking. The City Attorney stated that although the parking meters had been removed, this was still a public parking area. He explained that termination of the easement would allow the property owner to take it back and reimburse the City for any costs incurred in developing it for parking. The City Attorney understood the Commission wished to defer this item while the issues raised tonight were reevaluated, including substantial liens against Shepherd's Way properties due to Code enforcement activities.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson to defer this item to 6:00 p.m. on June 4, 2002. Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore, and Mayor Naugle. NAYS: Commissioner Katz.

**Authorization to Add Two Positions –**

**Financial Administrator and Project Engineer for Parking Division ..... (M-8)**

Commissioner Katz wondered if these positions could be contracted out. Mr. Gottshall felt there was a definite need for both of these positions within the Parking Division, although he did not know if the work could be contracted out. Insofar as the Financial Administrator position was concerned, he advised that the Parking Fund was an \$8 million revenue producing organization maintained separately from the General Fund. At present, there was only a single Accounting Clerk, who could not manage the finances of a Parking Fund of this size. Mr. Gottshall added that the Project Engineer was needed to address the many outstanding engineering projects.

Commissioner Katz thought the City had contracts with firms such as Kimley Horn and/or Keith and Schnars to do this work. Mr. Pete Sheridan, Assistant City Engineer, explained that the issue also involved managing review and coordination of projects even if consultants were retained. He thought an additional Project Engineer would allow the City to deal with many of the outstanding projects most cost effectively. Mr. Sheridan said that in addition to coordinating projects handled by consultants, there were a lot of smaller projects that could be facilitated. He noted that staff was trying to manage the existing garages and surface lots with existing resources, but at current staffing levels, some projects could take years.

Commissioner Katz wondered how many parking garages were being built that required the services of an in-house Project Engineer. Mr. Sheridan advised that the Downtown Garage and the PACA Garage needed substantial rehabilitation, and the City was participating in the renovation of the City Hall Parking Garage. He believed there would be issues in the near future with the South Beach Parking Lot and the other surface parking lots in Fort Lauderdale.

Mr. Bruce Larkin, Director of Administrative Services, referred to the backlog in the Engineering Division. He explained that there were just too many projects coming ahead of the parking projects. Mr. Larkin noted that a major recapitalization project was coming up in the City Park Garage, and he had assured then Commissioner Aurelius that the improvements would be made, but it had not yet gone out to bid after three years due to higher priorities. Commissioner Katz thought contracting the work with consultants would save the cost of benefits. Mr. Larkin noted that this method of handling projects had been working well for the Executive Airport, which had a designated Project Engineer within the Engineering Division.

Mr. Larkin believed the City Treasurer could address the need for the Financial Administrator, but he recalled that Commissioner Katz had raised the issue of posting revenues in a timely fashion and controlling accounting matters with respect to the Parking Division when the external auditor had presented the Commission with its annual management letter. He felt a professional accountant was needed to handle the \$8 million Parking Fund.

The City Manager felt these positions were necessary. He stated that the City had been operating on a thin margin for years, but in recent years this Commission had allowed more and more projects needed by the community. However, the necessary resources had not been designated to fulfill those goals. The City Manager advised that the CRA had generated considerably more work, and the Parking Fund provided the flexibility to fund these positions. He did not believe that Mr. Sheridan, for example, could not work any harder than he already did to get the job done. The City Manager thought the Commission had reached the same conclusion as he during the recent insurance situation – that it was better to invest in personnel and resources to do a job properly in the first place than it was to have to do it over later. He felt there was a demonstrated need for these positions, and he was considering some changes in the Parking System organization to improve performance.

Commissioner Moore favored this item because some of the projects in which he was interested were stalled in Engineering. He was pleased there was a creative method of funding an Engineering position through the Parking Fund, but he wondered if one Engineer would be adequate in light of many upcoming projects. Commissioner Smith shared Commissioner Katz's concerns, but he felt the City Manager made a very strong case. He noted that the Commission had challenged the City Manager to keep taxes down, and that would be difficult when new positions, with ongoing salaries and benefits, were added. Commissioner Smith had also been frustrated with projects delayed in engineering, but he wondered if there would be enough work for a Parking Engineer in the long term. Therefore, he did not think a permanent Engineer would be necessary forever.

Mr. Hector Castro, City Engineer, stated that staff shared these concerns. He advised that the person hired would have an emphasis on traffic engineering and parking, but the individual would also be a professional civil engineer. He believed that if the parking projects were exhausted, the engineer could be transferred to other duties along with the funding source. On a general note, Mr. Castro recalled that an entire level of engineering staff had been eliminated some years ago during budget cuts, and almost half a dozen of the City's senior most engineers had been lost. He advised that staff had been struggling ever since.

Commissioner Smith supported funding the Project Engineer position and requested additional information about the Financial Advisor. He wondered if the City was losing any money because it lacked this staff. Mr. Boe Cole, City Treasurer, noted that the City earned interest on all its revenues based on the balances in the cash funds. He explained that because the Parking Fund could not report its revenues to the Treasury in a timely basis due to the existing workload, there was an average of \$1.2 million unrecorded at the end of each month, and interest on that was lost to the Parking Fund. Mr. Cole explained that the City still received the interest, but it could not be properly allocated to the Parking Fund until it was recorded. Commissioner Smith thought that all "came out in the wash." Mr. Cole agreed that was true, but there were proper accounting procedures and internal control issues to address as well.

Commissioner Smith wondered if some other lower accounting position in the Parking Division could be phased out over time if a new professional accounting person was going to be hired. Mr. Cole felt the Accounting Clerk position would still be necessary, although other positions might phase out over time through attrition. He noted that a brand new accounting system to handle parking citations was being implemented. Commissioner Smith felt a more efficient system would call for fewer personnel. Mr. Larkin stated that new software had just been installed, and the intent was to use it in the most efficient way possible. In fact, he thought it might lead to other changes in the organization over time as Internet payments and payments by credit card through an automated telephone system reduced the need for people to take payments.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-8 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Smith and Moore. NAYS: Commissioner Katz and Mayor Naugle.

**Interlocal Agreement – Downtown Development Authority (DDA) –  
Regional Activity Center (RAC) Sub-Area Mobility Study ..... (M-9)**

Commissioner Moore was concerned about how this item had been written and wanted to clarify that approval of this item tonight was no guarantee that \$50,000 would be forthcoming from the CRA in a contingency fund. He wanted to ensure it was a separate item. Mr. Hector Castro, City Engineer, agreed that was correct, and the Commission would have to approve this as the Community Redevelopment Agency.

Commissioner Moore understood that the \$400,000 was all that was required, and that goal had been met. Mr. Castro agreed that was correct. Commissioner Moore asked that the sentence regarding the contingency be removed because that could be addressed by the CRA if and when the time came. Commissioner Katz had the same concerns.

**Motion** made by Commissioner Moore and seconded by Commissioner Smith to approve Consent Agenda Item No. M-9 as amended to delete reference to the CRA contribution. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Katz suggested that Mel Wilson be appointed to the Technical Committee, and both Commissioners Hutchinson and Smith suggested the appointment of Michael Madfis.

**Use of General Civil Engineering Services Contract with  
Keith and Schnars, P.A. for Community Redevelopment Area (CRA) Projects ..... (M-14)**

Commissioner Moore noted that the City had just entered the CCNA process, and he inquired about the term of the contract with Keith and Schnars. Mr. Sheridan replied that this was a three-year contract, and there were two years left in the term before renewal, if desired. Commissioner Moore asked what scope of services were involved in this request. Ms. Kim Jackson, CRA Manager, explained that this involved survey work only, and not design and construction, of the \$7 million infrastructure project and finance plan. She added that this would give the City the ability to utilize Keith and Schnars, but specific projects would have to be approved by the Commission as the CRA Board first.

Mr. Sheridan stated that this item would mend the contract with Keith and Schnars to afford the opportunity for the CRA Board to utilize those services, if desired, on a task order basis, but no task order was being presented this evening. He explained that this was an agreement that would allow the CRA Board to use the City's contract with Keith and Schnars.

Commissioner Moore understood this would allow the CRA Board to hire Keith and Schnars to do survey work on 6<sup>th</sup> Street or to do other projects. Ms. Jackson agreed that was correct, but the intent was to move forward with that survey work upon approval by the CRA Board on May 14, 2002. Commissioner Moore wanted to ensure that this did not guarantee that this firm would be handling the design work on 6<sup>th</sup> Street. Mr. Sheridan agreed that was correct.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-14 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Change Order No. 2 – Florida Blacktop, Inc. – Project 10333C – Installation of Speed Humps in the Riverside Park Neighborhood ..... (M-18)**

Commissioner Katz wondered what happen to the speed humps when the streets had to be resurfaced. She had learned that other cities had a "slice and dice" process in which speed humps were sliced off, roads were resurfaced, and the humps were put back into place. She wondered if Fort Lauderdale should consider something easier like that. Mr. Hector Castro, City Engineer, stated that staff had grappled with this issue. In this particular case, the existing installation would be demolished, and a brand new speed hump would be installed at a cost of \$5,000 v the \$3,000 cost of cutting a new speed hump into an existing road. He explained that this involved a more substantial structure than just a lump of asphalt on top of the road. Commissioner Katz suggested he contact the Engineers in Orlando and other cities that had dealt with this type of issue.

Commissioner Hutchinson believed this had been dealt with in various ways. In Rio Vista, for example, the humps had been removed and were being replaced. She understood the idea had been to determine if it were feasible to simply resurface over the humps, but it had not worked, so they had to be replaced. Mr. Castro agreed an attempt to resurface over the humps had been made, but the humps had lost shape, and it had not worked. In Rio Vista, two ways had been tried. He advised that the complete removal of the humps had been done to accommodate the utilities construction on Cordova Road, and they would be replaced. Mr. Castro stated that crews had paved around other speed humps in the neighborhood with keyways cut on either side. He had concerns about how they rode now, as well as the aesthetics, but it had been a less expensive operation.

*Mr. Ted Fling*, President of the Victoria Park Civic Association, stated that 5 speed humps had been installed in the Victoria Park neighborhood at the expense of the Association. He wondered who would pay for replacement if 15<sup>th</sup> Avenue were repaved. Mr. Castro said that the City assumed responsibility for replacements during the resurfacing program. He advised that staff would check on how Orlando handled these things, and he noted that Fort Lauderdale was in an experimental mode as to speed humps at this time.

The City Manager wished to clarify that the back-up memorandum referenced this work on Southwest 18<sup>th</sup> Avenue, but the work was actually being done on Southwest 20<sup>th</sup> Avenue as shown on the change order itself.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Smith to approve Consent Agenda Item No. M-18 relating to Southwest 20<sup>th</sup> Avenue as presented. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Bid 3486- Self-Contained Breathing Apparatus (SCBA) and Various Equipment for Fire-Rescue ..... (Pur. 3)**

Commissioner Katz inquired about the life cycle for this type of equipment. Mr. Kirk Buffington, Purchasing Manager, stated that the last time any breathing apparatus at all had been purchased had been at least 3 years ago. He advised that the equipment being turned in was 7 or 8 years old. Commissioner Katz understood even the 3-year old equipment was being turned over so all the equipment would be the same. Fire Chief Otis Latin agreed all the equipment had to be compatible.

Commissioner Katz asked why this equipment was not budgeted. Chief Latin stated that \$135,000 had been budgeted this year because this was expensive equipment that had to be funded over a 5-year period. The City Manager wished to clarify that there had been an error in the back-up material, and a revised memorandum had been distributed to the Commission.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson to approve Consent Agenda Item No. Pur. 3 as recommended in the revised back-up memorandum. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Bid 722-8665 – School Bus Transportation ..... (Pur. 4)**

Commissioner Moore inquired about the MBE certification of the vendor. Mr. Kirk Buffington, Purchasing Manager, believed this was a Hispanic firm. He noted that a policy initiated last year called for certification by the County if a contract exceeded \$50,000.

**Motion** made Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. Pur. 4 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Proprietary – Senior Management Institute Training ..... (Pur. 5)**

Commissioner Moore asked if the two individuals participating in this training were in the DROP Plan. Police Chief Bruce Roberts did not believe so and explained that this training had been established for future leaders within the Department. Commissioner Moore asked if the individuals guaranteed they would not be seeking jobs elsewhere after the City funded this training. Chief Roberts believed both employees intended to stay with the City and were just beginning their careers as far as leadership was concerned. Commissioner Moore wanted a condition that they would remain employed by the City for two years after the training or repay a prorated share of the cost.

The City Manager understood Commissioner Moore's intention, but he did not know if this could be made a condition because such conditions had not been imposed on others in the past. He suggested that he be given time to try to obtain notifications of intent from individuals being sent for training because there were various employees sent to similar training programs. Commissioner Moore had no objection to deferring this item in the meantime. Chief Roberts noted that there was a May 10, 2002 payment deadline.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 5 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Bid 222-8670 – Food Service for City Jail and Police Cafeteria ..... (Pur. 6)**

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 6 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Bid 222-8607 – Purchase of Nine Police Boats, Motors and Accessories ..... (Pur. 7)**

Commissioner Katz said she had received a letter from former Mayor Robert Cox, of Lauderdale Marina, which indicated several concerns. She understood that this type of boat was a "go fast" boat used in the Ocean and, according to Mr. Cox, most of the work done by police boats was not of that type. Another concern was that Boston Whalers had not been included in the bidding list. Mayor Naugle believed Boston Whaler was sent an invitation to bid but elected not to respond. He thought that was because a highly specialized unit built by another manufacturer had been specified.

Commissioner Katz wondered why the Police Department did not purchase one or two of these boats to make sure they were suitable for the work before purchasing many more. Mr. Kirk Buffington, Purchasing Manager, noted that a bid invitation had been sent to Boston Whaler, although Mayor Naugle was correct that "Intrepids" had been specified. However, the specifications had also indicated that the City would be receptive to any unit as an approved equal.

At 7:48 p.m., Commissioner Moore left the meeting. He returned at 7:50 p.m.

Police Chief Bruce Roberts explained that the mission of the Marine Patrol had changed in Fort Lauderdale with more and more activity in the Ocean than in the past. He noted that the SWAT Team had also been training with the Marine Patrol since 9/11 on waterborne operations. In addition, the Marine Patrol had been working more closely with federal agencies in Port Everglades and other areas. Chief Roberts stated that two new boats had been added to the Marine Patrol to address newly annexed areas and to enhance current service levels. He advised that the Police Department was also experimenting with a new type of engine to determine if they were more economically feasible and environmentally sound. The Police Chief stated that the experience of other agencies had been examined, including the Broward Sheriff's Office, which had a boat like these in the water since 1993. In addition, there had been some difficulties associated with the current boats in terms of honoring warranties in a timely fashion.

Mr. Buffington referred to pricing and acknowledged that nine boats were expensive. However, through negotiations with the Intrepid manufacturer, a longer warranty period had been negotiated than that provided to the Sheriff's Office or the City of Hollywood, and a lesser price had been obtained as well.

Commissioner Katz asked why all nine boats had to be purchased at one. Sergeant Tom Ogden, Marine Patrol, reported that at the end of this year, the warranties on seven of the existing boats would expire. Further, the City did not have enough boats for existing officers and to handle all the area the City covered. He felt it would be better to replace them all now rather than later because prices generally increased quite a bit over time. Sergeant Ogden wished to clarify that these were not "go fast" boats, and the engine combinations were the same as those in the existing Boston Whalers.

Commissioner Smith also had concerns in this regard. He had contacted Frank Herhold, Executive Director of the Marine Industries Association of South Florida (MIASF), and he had not seemed concerned that only 1 bid came in after 17 invitations to bid had been sent. Mr. Herhold had thought it was typical to have low response to a bid of this nature, and he was very impressed with the Intrepid. However, if anyone felt Boston Whaler had been discouraged from bidding, he would be willing to rebid and make certain everyone knew alternative boats were acceptable. Commissioner Smith was also concerned about the idea of purchasing all of these boats at once, and he understood there were 12 officers in the Marine Unit. Chief Roberts agreed staffing was being increased from 10 to 12 officers. Commissioner Smith did not understand why 10 boats were needed if there were only 12 officers on all shifts.

Commissioner Smith reported that residents of the northern parts of the City did not feel they were receiving the same level of marine enforcement as the rest of the City, and he thought there would be similar concerns in Lauderdale Isles. Commissioner Smith felt there should be some satellite stations because it took so long for boats to reach the outskirts of the City.

Sergeant Ogden noted that he also operated a boat, so there were actually 13 officers involved, and there was overlapping coverage provided on weekends, disregarding vacations, etc., and sometimes boat were down for repair on occasion. At present, three boats were down, for example. Sergeant Ogden stated that the idea of satellite locations was under study, and he had examined several possible locations. Commissioner Smith suggested a location on the Middle River at Borders Boats. Sergeant Ogden advised that location was not secure, and the dock was in poor condition.

Commissioner Smith noted that he had received calls from people who had heard about the City's "Pollution Solution" vessel but had never seen it in Coral Ridge. He thought if the City had some other satellite locations, it could facilitate that operation. Commissioner Smith inquired about the surplus value of the old boats. Sergeant Ogden advised that was difficult to say because it varied depending on the condition of each boat. He noted that a lot of the City's boats never reached auction because sometimes boats, engines and other parts were recycled to other departments within the City such as Public Works and Marine Facilities.

Commissioner Moore felt this situation was no different from purchasing a fleet of cars. However, if the engines were the issue, he wondered why engines alone were not purchased for existing craft. Sergeant Ogden reiterated that the warranties on seven of the existing boats would expire this year, and they were in poor condition with soft decks, stress cracks, etc., which resulted in safety issues.

Mayor Naugle believed the engines had been replaced every two years anyway, so the boats themselves could be twelve years old and on their fourth or fifth engines. Sergeant Ogden stated that the oldest boat was a 1985 Boston Whaler. He added that these last engines had been kept over three years by using parts from older engines that were not sent to auction. Mayor Naugle pointed out that these vessels were operated every day, so they were replaced when the warranties expired. Commissioner Moore understood Mr. Herhold had not had concerns, and he represented the industry.

Commissioner Smith wanted to take up the Mayor on his suggestion to rebid and see if Boston Whaler would be interested based on the clarification that other units would be considered. Commissioner Moore felt that compromised the bid process since Boston Whaler had been given an opportunity to bid but had elected not to do so. Mayor Naugle understood there were also warranty issues with Boston Whaler. Sergeant Ogden agreed there had been a problem with a fuel tank. It had been replaced three times, and there had been quite a fight about it first that had kept the boat out of service. He added that considerable research had been done before the Intrepid had been recommended.

Mayor Naugle stated that Boston Whaler had a superior product in the past, and it was the only boat of which he was aware that was unsinkable, even if cut in half. As far as he could tell, the Intrepid did not have a product that met specifications. He noted that the Baja had a bracket, and the specifications had indicated that the engine mounts had to be integral to the hull. Further, the Intrepid specified had a step hull, which was an unusual design but offered better fuel quality at higher speeds. Mayor Naugle thought that if this was rebid, the specifications would have to be changed or there would be arguments later about the product.

Mayor Naugle stated that the price bid seemed incredibly good, although he did not know if these vessels would hold up as well as the Whalers. He also thought it was a good idea to purchase two four-cycle Yamahas, which meant oil did not need to be added to the gasoline, and it was a slightly heavier engine that ran more quietly and smoothly and lasted longer than two-cycle engines. Mayor Naugle noted that there would be an experimentation period to determine which engines were best, and the four-cycle engines represented technology of the future insofar as water pollution was concerned.

Commissioner Katz did not understand why nine boats had to be purchased at once. Mayor Naugle had no objection to buying two this year, three the next, etc., particularly since there was a grant involved, and it would not make much sense to have them all wear out at the same time in the future. Commissioner Smith thought that was a good idea. Commissioner Moore understood Mayor Naugle to have indicated that the bid price was very low. Mr. Buffington noted that the price was predicated on the purchase of nine boats. Commissioner Katz stated that just because there was a sale, she did not buy 25 pairs of shoes, for example.

Commissioner Moore felt the Commission was micro managing, and it was his understanding that staff had indicated this equipment was needed to do the job. He also pointed out that vehicles for the Police Department were purchased as a fleet because it was less expensive in the long term. Commissioner Katz wondered if this was a desperate need because she believed there would be a budget problem this year, and she was concerned the City would have a huge debt in no time. She felt it was time to be more realistic rather than buying whatever everyone wanted in quantity and hiring new personnel. Commissioner Katz supported the Police Department, but she was trying to be financially responsible.

Chief Roberts appreciated Commissioner Katz's support and concerns, but part of the reason the City was in this position now was because it had tried to exercise frugality in the past. He reiterated that one of the boats dated back to 1985, and now there were safety concerns, and the boats were falling apart because they had not been replaced over the years. Chief Roberts felt this afforded a unique opportunity in terms of funding and price, and to service the expanded demands on the Marine Patrol. He explained that money would be set aside in the future to operate a type of fleet plan for boats. The Police Chief noted that he was a citizen of Fort Lauderdale and shared concerns about the budget, but this equipment was necessary for the Marine Patrol to accomplish its mission.

The City Manager reminded everyone that earlier this year there had been a lot of discussion about increased responsibilities insofar as the Marine Patrol was concerned. He recalled concerns about skiing and pointed out that there were a lot of waterways to patrol. There were also concerns like those mentioned by Commissioner Smith in terms of visibility in the farther reaches of the City. The City Manager stated that staff had committed to addressing those concerns and meeting the needs of the community in a fiscally sound manner.

The City Manager recalled that when he had first come to the City, it had been saving nickels and dimes for years to try to replace a fire station. After a number of years, enough money had been saved for the new fire station, but a lot of City facilities were in a state of disrepair because needs had not been addressed over time. He did not want that to happen to the Marine Patrol, and he urged the Commission to believe that staff was trying to be responsible. The City Manager added that he had asked the Finance Director to prepare a report about the City's debt position, and he thought this might be the appropriate time to provide that information.

Mr. Damon Adams, Director of Finance, explained that a survey of 13 of the largest cities in Florida had been conducted over the past year, and he had found Fort Lauderdale to be the fifth lowest in terms of general debt per capita and the fourth lowest as to debt service as a percentage of budget. Mayor Naugle asked which cities had been surveyed. Mr. Adams replied that the surveyed cities had been Clearwater, Coral Springs, Gainesville, Hollywood, Jacksonville, Miami, Miami Beach, Orlando, Pembroke Pines, St. Petersburg, Tallahassee and Tampa. He felt Fort Lauderdale was in good shape compared to other communities of similar size in terms of debt. Mayor Naugle asked if Hialeah had been checked. Mr. Adams replied it was not on the list, but he was believed Fort Lauderdale's position to be about the same.

Commissioner Smith asked the City Manager if agreement to purchase these boats would compromise his ability to present a budget next year that held the line on taxes. The City Manager did not believe so. Commissioner Moore felt the fact that the City had a 17-year old boat was a demonstration of an efficient operation.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 7 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore, and Mayor Naugle. NAYS: Commissioner Katz.

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## MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

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**Settlement of****Police Professional Liability File No. PPL 00-643B (Scott Bursor) ..... (M-19)**

A motion was presented authorizing the settlement of Police Professional Liability File No. PPL 00-643B (Scott Bursor) in the amount of \$30,000.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the settlement of PPL 00-643B (Scott Bursor) in the amount of \$30,000. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Proposed Lien Settlements****for Special Master and Code Enforcement Board Cases ..... (M-20)**

A motion was presented authorizing the proposed lien settlements for the following Special Master and Code Enforcement Board cases:

1. 604 S.W. 11 Court (CE99091362) – Robert Todd Browne and Michael R. Boggs - \$1,100
2. 1430 N.W. 11 Court (CE99030691) – Diane Jones - \$2,225
3. 2657 Middle River Drive (9403100) – Norris Turner and Nellie Turner- \$40,680
4. 6001 N.W. 9 Avenue (CE00111016) – Arnold J. Mittelman - \$37,600
5. 918 N.W. 24 Avenue (CE00060068) – Brian Friedman - \$1,400
6. 1417 North Dixie Highway (CE00080659) – Shahid M. Chowdhury - \$4,000
7. 729 N.W. 7 Terrace (CE99120484) – David J. Roy and Jiwani Radhica Roy - \$8,360
8. 600 S.W. 26 Avenue (9315462) – Pleasant Williams and Zadie Ruth Williams - \$3,860
9. 1651 N.E. 54 Street (CE00051805) – Russell O. Steele - \$5,000
10. 501 N.E. 13 Street (CE01030079) – Caldwell C. Cooper and Susan Cooper - \$3,000
11. 1409 N.E. 5 Terrace (CE98070591) – Hagan Riviere and Ruthie May Riviere - \$8,670
12. 1330 N.W. 15 Terrace (9400967) – Lacresha Shaw, David Woods, Louis E. Woods – \$2,500
13. 1919 N.W. 19 Street No. 20 (CE01071746) – Parkway Commerce Center Ltd. - \$3,000

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Smith to approve lien settlements Nos. 1, 6, 7, 9, 12 and 13 as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

11. 1409 Northeast 5<sup>th</sup> Terrace (CE98070591) – Hagan Riviere and Ruthie May Riviere – \$8,670.

Ms. Lori Milano, Community Inspections Officer, announced that staff was withdrawing this item for presentation at a later date.

2. 1430 Northwest 11<sup>th</sup> Court (CE99030691) – Diane Jones - \$2,225.

Commissioner Moore believed this was a hardship case, and the violations had been corrected. Mr. John Simmons, Building Official, agreed that was correct. Commissioner Moore suggested a \$1,000 settlement if that would cover the City's expense. Mr. Smith believed it would.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to approve this lien settlement for \$1,000. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

3. 2657 Middle River Drive (9403100) – Norris Turner and Nellie Turner - \$40,680.

*Ms. Alma Wheeler* explained that her brother and mother had purchased this property in 1989 without knowing there were violations. She stated that the realtor had indicated the property was “grandfathered in,” but use of the six units had been cited in 1994. Ms. Wheeler said that the tenants had been removed as quickly as possible, and an Architect had been hired, but the work had not been done. Later, she had worked with another Architect, and she thought everything had been addressed, but that had not been the case. Ms. Wheeler related some personal misfortunes that had occurred since that time and explained that she had not realized fines had been accumulating.

Commissioner Katz said she had discussed this situation with Ms. Wheeler and was sympathetic to her situation. She suggested reducing the settlement to \$27,000.

**Motion** made by Commissioner Katz and seconded by Commissioner Smith to approve this lien settlement for \$27,000. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

4. 6001 Northwest 9<sup>th</sup> Avenue (CE00111016) – Arnold J. Mittelman - \$37,600.

Commissioner Moore understood this was a commercial property, and the owner had simply failed to maintain the property or respect the community. He saw no reason to settle for less than \$37,600. Mayor Naugle noted that the back-up material indicated the owner had been cooperative. Commissioner Moore advised that cooperation had only come after the fact. Commissioner Smith suggested the Commission vote down the proposed settlement of \$9,400 so the owner could come back at another time.

**Motion** made by Commissioner Moore and seconded by Commissioner Smith to approve this lien settlement as recommended. Roll call showed: YEAS: none. NAYS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle.

5. 918 Northwest 24<sup>th</sup> Avenue (CE00060068) – Brian Friedman - \$1,400.

Commissioner Moore felt the full \$9,325 in fines should be collected in this case. He noted that this property was also not Homesteaded property, and there had been an impact on the neighborhood due to this situation.

**Motion** made by Commissioner Moore and seconded by Commissioner Smith to approve this lien settlement as recommended. Roll call showed: YEAS: none. NAYS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle.

8. 600 Southwest 26<sup>th</sup> Avenue (9315462) – Pleasant Williams and Zadio Ruth Williams - \$3,860.

Commissioner Moore stated that this was another situation of impact on the neighborhood and no real hardship. He understood it had taken a year to clean it up.

**Motion** made by Commissioner Smith and seconded by Commissioner Hutchinson to approve this lien settlement as recommended. Roll call showed: YEAS: none. NAYS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle.

10. 501 Northeast 13<sup>th</sup> Street (CE01030079) – Caldwell C. Cooper and Ruthie May Riviere - \$8,670.

Commissioner Smith wished to defer this item so the owner could be present.

**Motion** made by Commissioner Smith and seconded by Commissioner Moore to defer this item to 6:00 p.m. on May 21, 2002. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Sanitary Sewer Agreement –  
Old Progresso Village – Residential Development Area  
Bounded by Sunrise Boulevard, N.W. 1 Avenue,  
N.W. 6 Street and N.W. 2 Avenue ..... (M-21)**

A motion was presented authorizing the proper City officials to execute a modified sanitary sewer agreement with the developer of Old Progresso Village, in an amount not to exceed \$1,250,000, for construction of sanitary sewer collection mains, a pump station, a force main, and water mains for the proposed development of approximately fifty (50) residential dwelling units to be located within the area bounded by Sunrise Boulevard, N.W. 1 Avenue, N.W. 6 Street, and N.W. 2 Avenue. (Also see Item I-K on the Conference Agenda).

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the sanitary sewer agreement as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

At 8:30 p.m., Commissioner Smith left the meeting.

**Application for Dock Waiver of Limitations -  
Walter L. Morgan, Trustee for Adam Kreysar, 2418 Laguna Drive ..... (PH-1)**

A public hearing was scheduled to consider a resolution authorizing the proper City officials to waive the limitations of Section 47.19.3.B and 47.19.3.C under 47.19.3.D of the City's Unified Land Development Regulations (ULDR) to allow Walter L. Morgan, as the trustee for Adam Kreysar, to construct a finger pier and connecting boatlift that extend a maximum distance of 43 feet from the property line into the Intracoastal Waterway (Stranahan River). Notice of public hearing was published April 25, 2002 and May 2, 2002.

Mayor Naugle called for those who wished to appear. There were none.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

Commissioner Katz was concerned about this because the applicants wanted special privileges in order to dock two boats. *Mr. Walter Morgan*, representing the applicant, explained that the second boat would be placed on a mechanical lift rather than being left in the water. Commissioner Katz noted that the applicant was seeking a waiver of limitations for a self-imposed hardship because he had two boats instead of one, and she did not know how many boats his neighbors docked. Mr. Morgan explained that the neighbors had finger piers, and the extension of this pier would not take it closer to the channel than the neighboring piers. He noted that a waiver did not require a demonstration of hardship.

At 8:33 p.m., Commissioner Smith returned to the meeting.

Commissioner Katz asked if the marginal dock extended into the setback. Mr. Morgan replied that there were no setbacks for docks, and this one extended to the property line. He stated that the boat would not encroach into the required setbacks, however. Commissioner Katz did not believe docks were allowed in the setbacks in her neighborhood. Mr. Morgan thought they were. Mayor Naugle clarified that the dock could extend into the setback, but a boat could not be docked that extended into the setback area.

Commissioner Katz wondered if a notch could be put in the marginal dock for the larger vessel so it was not sticking out so far into the waterway. Mr. Morgan did not think that would be impossible, but BK Marine had designed the dock and felt this was the most efficient method. Further, this dock would be 200' from the channel, and the neighboring pilings extended further. He added that the Marine Advisory Board had voted 7 to 0 to recommend approval of this application.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-72

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING THE LIMITATIONS OF SECTION 47-19.3.B & C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW WALTER L. MORGAN, TRUSTEE UNDER THE PROVISIONS OF THE FAMILY TRUST TAK-1 DATED OCTOBER 17, 2000 TO CONSTRUCT AND MAINTAIN A FINGER PIER AND CONNECTING BOAT LIFT THAT EXTEND A MAXIMUM DISTANCE OF 43 FEET FROM THE PROPERTY LINE INTO THE INTRACOASTAL WATERWAY FOR THE PROPERTY LOCATED AT 2418 LAGUNA DRIVE, MORE PARTICULARLY DESCRIBED BELOW.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore and Mayor Naugle. NAYS: Commissioner Katz.

**Development Order – Florida Department  
of Transportation (FDOT)/Cypress Creek Park and Ride  
Associates, Limited Partnership, Lessee – Lightspeed Broward  
Center Development of Regional Impact (DRI) (PZ Case No. 109-R-00[02]) ..... (PH-2)**

At the January 23, 2002 regular meeting, the City Commission approved by a vote of 5-0 the consideration of an ordinance for this application for first reading on March 5, 2002; and at the February 20, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 5-2 that the following application be approved. Notice of public hearing was published January 4, 2002 and February 23, 2002. At the March 5, 2002 regular meeting, the City Commission deferred first reading to March 19, 2002 by a vote of 5-0; at the March 19, 2002 regular meeting, the City Commission deferred first reading to April 2, 2002 by a vote of 5-0; and at the April 2, 2002 regular meeting, the City Commission deferred first reading to May 7, 2002 by a vote of 5-0.

Applicant: FDOT/Cypress Creek Park and Ride Associates, Limited Partnership,  
Lessee  
Request: Development order for the Lightspeed Broward Center DRI  
Location: Area south of Cypress Creek Road, north of 60 Street, east of Andrews  
Avenue and west of I-95, also known as the FDOT Park and Ride Facility

**Motion** made by Commissioner Moore and seconded by Commissioner Smith to defer first reading to Tuesday, May 21, 2002 at 6:00 p.m. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Amend Chapter 26 – “Two Wheels On,  
Two Wheels Off” Parking in Swales – Lauderdale Manors Neighborhood ..... (O-1)**

An ordinance was presented amending Chapter 26 of the Code of Ordinances to provide for “two wheels on, two wheels off” parking in swales in the Lauderdale Manors Neighborhood. Ordinance No. C-02-8 was published April 13, 2002, and was approved on first reading April 2, 2002 by a vote of 5-0; at the April 23, 2002 regular meeting, the City Commission deferred second reading to May 7, 2002 by a vote of 5-0.

**Motion** made by Commissioner Moore and seconded by Commissioner Smith to table this item indefinitely. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Amend Chapter 12 – Elections – Campaign Financing ..... (O-2)**

An ordinance was presented amending Chapter 12, “Elections,” of the Code of Ordinances, amending Section 12-1 to provide for campaign financing provisions supplementing state law; creating Section 12-3, “Definitions,” creating Section 12-4, “Campaign Contribution Limits and Prohibited Contributions,” to provide for campaign contribution limitations and specifying entities and organizations prohibited from making contributions to candidates in elections for Mayor-Commissioner and City Commissioner; and creating Section 12-5, “Penalties.” Ordinance No. C-02-9 was published April 13, 2002, and passed on first reading April 23, 2002 by a vote of 4-1 (Moore).

Commissioner Katz stated that since this ordinance had been passed on first reading, she had received calls from people who were frantic that they could not receive contributions from businesses. She believed this would only help incumbent candidates, although the intent had been to make it easier for new candidates to run for office. Commissioner Katz thought this ordinance would have unintended consequences. Commissioner Smith said he had conducted research into the last election, and he did not think any new candidates had to worry because none of them had been receiving the big \$500 checks. If that past election was an indication, he thought challengers would be fortunate to reach the \$250 limit.

Commissioner Hutchinson thought that if challengers were concerned about not being able to take contributions from businesses, then perhaps they did not expect support from the voters. Commissioner Katz had read in the newspaper that the portion of the ordinance relating to political action committees (PACs) could become a legal issue, and it was not a major issue because few candidates ever received much money from PACs. However, she was concerned that the ordinance would set the City up for a lawsuit. Commissioner Katz wondered if there was any interest in pulling out a piece of the ordinance.

Commissioner Moore agreed with Commissioner Katz. He had never objected to limiting the amounts of contributions because that provided a level playing field regardless of the limit, but he did not believe this ordinance would give a challenger a fair chance against an incumbent. He believed the only way to do that would be to provide accessibility to the media and public forums to achieve name recognition. Commissioner Moore also did not agree with some of the "whereas" paragraphs contained in the ordinance because the City had never experienced any of the issues addressed in that language. In fact, he found some of them rather insulting. He also hoped the City would not get involved in a lawsuit over the PAC issue.

Mayor Naugle understood that if any portion of the ordinance were struck down by a challenge, the rest of the ordinance would still apply. He said he had trouble with the idea of allowing contributions from PACs but not from businesses. Mayor Naugle believed the idea of holding contributions to individuals only was so a candidate could not get multiple checks from different companies or PACs, and he pointed out that individuals belonging to such groups could still make contributions as individuals.

Commissioner Smith preferred campaigns be financed by human beings who put their names on the line, so everyone knew who supported which candidates. He pointed out that when contributions were made by corporations, there was no way to track down the actual contributors, and corporations also often had dozens of entities. Commissioner Smith felt this resulted in a situation of undue influence, and he asked the City Attorney if he agreed with Mayor Naugle's statement that the rest of the ordinance would remain valid even if a portion was struck down. The City Attorney agreed the ordinance contained a severability clause.

Commissioner Smith said his personal preference was to reduce the limit on contributions to \$100. He felt that was a more attainable amount of money for the average citizen, and he thought many people did not contribute because they did not think the amount they could afford would mean much in light of \$500 donations. He suggested the limit be reduced to \$100 on second reading.

Commissioner Moore thought the implication was that the Commissioners were only elected on the basis of their ability to raise money. He did not believe that was the case, and two of the Commissioners here tonight had proven that point. Nevertheless, Commissioner Moore did not care what dollar limit was adopted because it would apply to all candidates. Insofar as corporations were concerned, Commissioner Moore did not feel this was the appropriate way to handle it. He believed that the voters were the only parties to whom elected officials responded, whether or not they contributed or even voted, because they listened to the people.

Commissioner Katz agreed that the Commission listened to people whether they contributed to campaigns or not. As to Commissioner Smith's idea to reduce the limit to \$100, she pointed out that people were allowed to give any amount they wanted, whether it was \$25, \$100, or \$250. She did not think people were too intimidated by the maximum allowed to contribute smaller amounts.

*Mr. Michael Kasten*, 1409 Northeast 16<sup>th</sup> Court, believed the real problem with finding candidates was that being a Commissioner was really a full-time position, for which adequate compensation was not provided. Therefore, the typical citizen could not vie for a position in local government. Mr. Kasten suggested that the Charter Revision Board be asked to consider affixing full-time salaries to these positions so people who had to work for a living could participate in the process.

Commissioner Smith agreed that the low salary kept competition away, and this was an issue the Charter Review Board should consider. Mayor Naugle noted that there was a process for adoption of a pay increase for the Commission, although this Commission could not raise its own compensation. However, he felt a report on that would be helpful.

Commissioner Smith did not think the language contained in the ordinance was meant to be disrespectful, and he pointed out that it was not about the current Commission, but about all the elected officials that would move through these offices in the years to come. The City Attorney noted that the "whereas clauses" had not been crafted by staff, but by case law that supported campaign contribution limitations.

Commissioner Hutchinson agreed with Mr. Kasten and found it a little insulting to be considered a part-time employee when, in fact, the Commissioners were temporary full-time employees. She wished some of the candidates had been present this evening to voice their views on this ordinance and found it interesting that no one had appeared to speak against the ordinance if there were so many businesses concerned. Commissioner Moore felt there should be greater concern about influences from homeowners' associations, activists, etc. than from contributors.

Commissioner Smith recognized the presence of several members of the Charter Revision Board.

Commissioner Smith introduced the following ordinance on second reading:

ORDINANCE NO. C-02-9

AN ORDINANCE AMENDING CHAPTER 12, "ELECTIONS," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 12-1 TO PROVIDE FOR CAMPAIGN FINANCING PROVISIONS SUPPLEMENTING STATE LAW; CREATING SECTION 12-3, "DEFINITIONS"; CREATING SECTION 12-4, "CAMPAIGN CONTRIBUTION LIMITS AND PROHIBITED CONTRIBUTIONS," TO PROVIDE FOR CAMPAIGN CONTRIBUTION LIMITATIONS AND SPECIFYING ENTITIES AND ORGANIZATIONS PROHIBITED FROM MAKING CONTRIBUTIONS TO CANDIDATES IN ELECTIONS FOR MAYOR-COMMISSIONER AND CITY COMMISSIONER; AND CREATING SECTION 12-5, "PENALTIES."

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Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: Commissioner Moore.

**Amend Chapter 26 – "Parking" – Appeal Process for Parking Citations and Procedures and Process for Vehicle Immobilizations ..... (O-3)**

An ordinance was presented amending Chapter 26 entitled "Parking," of the Code of Ordinances by amending Section 26-113 to revise the appeal process for parking citations and amending Section 26-114 to revise procedures and hearing process for vehicle immobilizations. Notice of the proposed ordinance was published April 27, 2002.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-10

AN ORDINANCE AMENDING CHAPTER 26, "PARKING," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE BY AMENDING SECTION 26-113 TO REVISE THE APPEAL PROCESS FOR PARKING CITATIONS; AND AMENDING SECTION 26-114 TO REVISE PROCEDURES AND THE HEARING PROCESS FOR VEHICLE IMMOBILIZATION.

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Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Amendment to Lease Agreement –  
Florida Department of Transportation (FDOT) –  
Right-of-Way Above Henry E. Kinney Tunnel for Linear Park ..... (R-1)**

A resolution was presented authorizing the proper City officials to execute an amendment to the lease agreement with FDOT to extend the City's lease of FDOT right-of-way above the Henry E. Kinney Tunnel from 20 years to 40 years with a right to renew for an additional 40 years at lessee's option.

Commissioner Moore introduced a written resolution entitled:

## RESOLUTION NO. 02-73

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING AN AMENDMENT TO A LEASE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR LEASE OF PROPERTY ABOVE THE HENRY E. KINNEY TUNNEL FOR A LINEAR PARK TO EXTEND THE LEASE TERM AND OPTION TO RENEW FOR AN ADDITIONAL TWENTY YEARS.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Demolition of Buildings ..... (R-2)**

At the February 21, 2002 and March 21, 2002 Unsafe Structures and Housing Appeals Board meetings, it was recommended that the following buildings be demolished and the properties be assessed with the appropriate costs:

- A. 205 N.E. 3 Street
- B. 731 N.W. 10 Terrace
- C. 1038 S.W. 5 Place (Withdrawn)
- D. 1401 N.W. 2 Street
- E. 2616 S.W. 2 Street

Ms. Lori Milano, Community Inspections Bureau, stated that a permit had been issued for work at 1038 S.W. 5 Place, so Item C was withdrawn.

**Motion** made by Commissioner Hutchinson and seconded by Commissioner Smith to approve the demolitions at 731 Northwest 10<sup>th</sup> Terrace and 2616 Southwest 2<sup>nd</sup> Street (Items B and E) as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

- A. 205 Northeast 3<sup>rd</sup> Street

Commissioner Smith said he would recuse himself from voting on this address because he was in negotiation for some property with the owner of this property.

**Motion** made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the demolition at 205 Northeast 3<sup>rd</sup> Street (Item A) as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Moore, and Mayor Naugle. NAYS: none. Commissioner Smith abstained.

- D. 1401 Northwest 2<sup>nd</sup> Street

*Mr. Virgil Boland* stated that he had been working on several buildings on this property, and one was completed. He advised that this particular building was beautiful, and he was working on it along with several others in the area. Mayor Naugle asked if permits had been obtained. Mr. Boland introduced his Engineer, *Mr. Donald Priscilla*. Mr. Priscilla said he expected to complete the plans by the end of next week.

Mayor Naugle understood no permits had yet been issued and no work had been done. Commissioner Moore stated that there had been all kinds of problems with this property, and he felt it should be demolished. Mayor Naugle noted that his father used to live in this house in the 1930s.

**Motion** made by Commissioner Moore and seconded by Commissioner Smith to demolish the building at 1401 Northwest 2<sup>nd</sup> Street (Item D) as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-74

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Building Board-Up and Securing Charges** .....(R-3)

A resolution was presented authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings.

Commissioner Smith understood the City's board-up ordinance only allowed buildings to be boarded for one year. He asked what happened after that. Ms. Milano stated that first a board-up certificate had to be issued, which was valid for a year, and then a detailed plan had to be submitted showing how the building would be rehabilitated. She had seen situations in which detailed plans had been submitted and compliance achieved. In other cases, rehabilitation was not performed, and cases were presented to the Special Master.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-75

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Lot Clearing and Cleaning Charges ..... (R-4)**

A resolution was presented authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Smith understood the foreclosure threshold was \$1,500, but there was a case on the list that was over \$3,000. Ms. Milano stated that the case was had been sent to the City Attorney's Office for review on a prior date, and there had been some title issues. Those concerns had been addressed, and the property was now on the list for foreclosure.

Commissioner Moore introduced a written resolution entitled:

**RESOLUTION NO. 02-76**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES FO THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Plat Approval – “Faith Farm/Powerline” Plat –  
Fort Lauderdale Rescue Tabernacle, Inc. (PZ Case No. 11-P-01) ..... (R-5)**

At the Planning and Zoning Board meeting of March 20, 2002, it was recommended by a vote of 6-0 that the following application be approved.

Applicant: Fort Lauderdale Rescue Tabernacle, Inc.  
Request: Plat approval  
Location: 1980 N.W. 9 Avenue

Commissioner Smith disclosed that he had spoken to a representative of Faith Farm about this item, although he did not recall his name.

Commissioner Moore introduced a written resolution entitled:

**RESOLUTION NO. 02-77**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS “FAITH FARM/POWERLINE”.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Tax Exempt Bonds – Pine Crest Preparatory School, Inc. - \$30,000,000**

**(R-6)**

A resolution was presented declaring the City's official intent to seek reimbursement on behalf of Pine Crest Preparatory School, Inc. ("Borrower") for certain capital expenditures made and to be made by the Borrower with respect to the acquisition, construction, reconstruction and equipping of certain educational facilities located in the City and in the City of Boca Raton in Palm Beach County, Florida, from the proceeds of the City's not to exceed \$30,000,000 revenue bonds (Pine Crest Preparatory Schools, Inc. Project); authorizing the holding of a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986, as amended; approving the form of and authorizing the execution and delivery of an Interlocal Agreement with Palm Beach County, Florida, and providing for an effective date.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-78

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, (THE "CITY"), DECLARING THE CITY'S OFFICIAL INTENT TO SEEK REIMBURSEMENT ON BEHALF OF PINE CREST PREPARATORY SCHOOL, INC. (THE "BORROWER") FOR CERTAIN CAPITAL EXPENDITURES MADE AND TO BE MADE BY THE BORROWER WITH RESPECT TO THE ACQUISITION, CONSTRUCTION, RECONSTRUCTION AND EQUIPPING OF CERTAIN EDUCATIONAL FACILITIES LOCATED IN THE CITY AND IN THE CITY OF BOCA RATON IN PALM BEACH COUNTY, FLORIDA FROM THE PROCEEDS OF THE CITY'S NOT TO EXCEED \$30,000,000 REVENUE BONDS (PINE CREST PREPARATORY SCHOOLS, INC. PROJECT); AUTHORIZING THE HOLDING OF A PUBLIC HEARING AS REQUIRED BY SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, FLORIDA AND PROVIDING FOR AN EFFECTIVE DATE.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

The City Manager noted that the Finance Director had recommended a fee of \$30,000 for issuance of this, which was 1/10 of 1% of the value of the bonds being issued, and at no risk to the City's full faith and credit. Commissioner Moore understood this did not obligate the City in any way, and the City Manager agreed that was correct.

**SunTrust Leasing Corporation – Borrow \$539,617 for Police Boats** .....**(R-7)**

A resolution was presented authorizing the proper City officials to execute documents necessary to borrow \$539,617 from SunTrust Leasing Corporation to fund the purchase of eight police boats, engines and ancillary equipment. (Also see Item Pur-7 on this Agenda).

Commissioner Hutchinson introduced a written resolution entitled:

RESOLUTION NO. 02-79

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE UTILIZATION OF THE SUNTRUST LEASING CORPORATION MASTER LEASE FINANCE PROGRAM TO FINANCE THE PURCHASE OF POLICE BOATS, ENGINES AND ANCILLARY EQUIPMENT.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Smith, Moore and Mayor Naugle. NAYS: Commissioner Katz.

**SunTrust Leasing Corporation - Borrow \$595,000 for  
Fire-Rescue Self-Contained Breathing Apparatus (SCBA) ..... (R-8)**

A resolution was presented authorizing the proper City officials to execute documents necessary to borrow \$595,000 from SunTrust Leasing Corporation to fund the purchase of SCBA equipment for the Fire-Rescue Department. (Also see Item Pur-3 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-80

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE UTILIZATION OF THE SUNTRUST LEASING CORPORATION MASTER LEASE FINANCE PROGRAM TO FINANCE THE PURCHASE OF SELF CONTAINED BREATHING APPARATUS FOR THE FIRE DEPARTMENT.

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Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Working Agreement with International Alliance of  
Theatrical Stage Employees (IATSE) Local 500 – War Memorial Auditorium ..... (R-9)**

A resolution was presented approving the Working Agreement with IATSE Local 500, to become effective upon ratification by the City Commission through September 30, 2004.

Commissioner Katz asked how many employees were involved in this, and Mr. Robert Streid, Manager of War Memorial Auditorium, said there were 2 housemen on this contract who handled the maintenance work, and the rest of the IATSE was available on call when additional personnel were necessary for a large show.

Commissioner Moore asked if the War Memorial Auditorium had the same level of technology as other facilities, and Mr. Streid stated that the sound and other equipment were in the process of being upgraded, but the technology in the Auditorium was nowhere near the level of equipment at the Performing Arts Center. Commissioner Moore wondered, therefore, if it was necessary to pay the personnel as much. Mayor Naugle thought that might mean even more work was required to do more work to patch things up because it was antiquated. Mr. Streid pointed out that the Auditorium had the lowest rates.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-81

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH I.A.T.S.E. LOCAL 500, FOR THE PERIOD FROM MAY 7, 2002 TO SEPTEMBER 30, 2004, TO PROVIDE FOR RATES OF PAY, HOURS AND CONDITIONS OF WORK FOR SERVICES PERFORMED BY MEMBERS OF I.A.T.S.E. LOCAL 500 AT WAR MEMORIAL AUDITORIUM.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Amendments to Personnel Rule XI Sections 2 through 4 –  
Legal and Personal Holidays, Vacation Leave and Sick Leave ..... (R-10)**

A resolution was presented amending Personnel Rule XI, Section 2, entitled "Legal and Personal Holidays," Section 3 entitled "Vacation Leave," and Section 4 entitled "Sick Leave" to change from a "day per month" to an "hourly" leave method of accrual.

Mayor Naugle asked if this would have any financial impact, and the City Manager replied it would not as it was only a change in the manner of how this was accounted for. Commissioner Katz asked if part-time employees received vacations and sick leave, and it was indicated that they did not have those benefits.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-82

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING PERSONNEL RULE XI, GENERAL PERSONNEL POLICIES AND PROVISIONS, TO REVISE THE RULES RESPECTING LEGAL AND PERSONAL HOLIDAYS, VACATION LEAVE AND SICK LEAVE TO CHANGE FROM A DAY PER MONTH TO AN HOURLY LEAVE METHOD OF ACCRUAL.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

**Fort Lauderdale-Hollywood International Airport –  
Proposed Expansion of South Runway ..... (OB)**

A resolution was presented supporting the proposed extension of the South Runway 9R/27L at Fort Lauderdale-Hollywood International Airport.

Commissioner Hutchinson introduced a written resolution entitled:

**RESOLUTION NO. 02-83**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE PROPOSED EXTENSION OF THE SOUTH RUNWAY 9R/27L AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Mayor Naugle asked the City Clerk to send copies of the resolution to various cities, Broward County, and the Council of Fort Lauderdale Civic Associations.

**Advisory Board Appointments ..... (OB)**

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Beach Redevelopment Advisory Board	Jay Adams
Board of Adjustment	Gus Carbonell Fred Stresau Christine Teel Don Larson, Alternate
Economic Development Advisory Board	Milton Jones
Historic Preservation Board	Jeryl Madfis Todd Fogel Rachel A. Bach
Nuisance Abatement Board	Ted Fling, Alternate

Commissioner Smith introduced a written resolution entitled:

**RESOLUTION NO. 02-84**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore and Mayor Naugle. NAYS: none.

At 9:25 P.M., Mayor Naugle adjourned the meeting.

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Jim Naugle  
Mayor

ATTEST:

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Lucy Masliah  
City Clerk